THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No. 17687 of 2005

Between

Pathan Rahman Khan

…Petitioner

And

The Chief General Manager & the Appellate Authority,

State Bank of India, Hyderabad.

…Respondent

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No. 17687 of 2005

O R D E R:

This writ petition is filed seeking writ of Mandamus declaring the action of the respondent in disobeying the judgment of Supreme Court (Larger Bench) as illegal, arbitrary, unconstitutional, and consequently to direct the respondent to furnish a copy of the enquiry report with an opportunity to the petitioner to defend against the findings recorded therein duly complying with the opinion of the report of the Supreme Court Legal Services Committee.

Though the petitioner sought for the above said relief, at the time of hearing, it is represented that a final order of removal was passed by the respondent-Bank as early as in the year 1983. The petitioner also sought for a direction for payment of subsistence allowance.

Since final order of removal was passed against the petitioner after completion of the procedure contemplated under law, the petitioner is not entitled to seek any direction for payment of subsistence allowance at this stage. If the petitioner is aggrieved against the order of removal, it is for him to take appropriate proceedings against the said order of removal and it is not open to the petitioner to come by way of this writ petition pointing out certain lapses alleged to have been committed by the respondent-Bank during the course of enquiry conducted against him.

Under the above circumstances, the writ petition is devoid of merits and the same is accordingly dismissed. No costs.

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10-08-2005

klp